

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Takehiro KATA et al.

Application No.: 09/431,154

Filed: November 1, 1999

For: VULCANIZING MOLD FOR PNEUMATIC TIRES

Group Art Unit: 1722

Examiner: J. Mackey

Docket No.: 104639

18/1/02  
12/31/02

REQUEST FOR RECONSIDERATION

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

RECEIVED  
DEC 24 2003  
TC 1700 MAIL ROOM

Sir:

In reply to the July 2, 2002 Office Action, the period for reply being extended by the attached Petition for Extension of Time, reconsideration of the above identified application is respectfully requested.

Claims 1, 2 and 4-6 are pending. Reconsideration based on the following remarks is respectfully requested.

The Office Action rejects claims 1, 2 and 4-6 under 35 U.S.C. §103(a) over Great Britain Patent No. 1,248,891 (the '891 Patent) in view of Miyata et al. (U.S. Patent No. 5,208,044). This rejection is respectfully traversed.

The Office Action appreciates that the '891 Patent does not disclose that the cam ring simultaneously displaces all of the segments radially inwardly while the cam ring remains in direct engagement with both upper and lower tread mold members. However, the Office Action attempts to make up for this deficiency of the '891 Patent by combining the '891 Patent with Miyata. Specifically, the Office Action asserts that it would have been obvious to

one of ordinary skill in the art at the time of the invention to modify the '891 Patent by providing the cam ring in direct engagement with both the upper and lower tread mold members to simultaneously displace the segments radially inwardly, as disclosed in Miyata, since such an arrangement would enable a more reliable radially inward movement of the lower tread mold member by applying a force from the outward side of the lower tread mold member rather than the upper side thereof, and since such an arrangement is equivalent to the direct engagement of the cam ring with the upper tread mold member and the indirect engagement of the cam ring with the lower tread mold member, as disclosed in the '891 Patent.

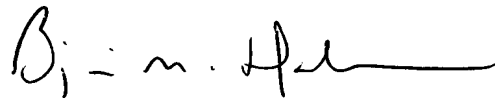
However, the Office Action's above mentioned motivation to combine the references to arrive at the claimed invention is derived from the Applicants own disclosure, and thus is a result of improper hindsight reasoning. The Office Action simply fails to particularly point out any suggestion, motivation or incentive, other than that already disclosed in the present application, which would justify either the combination of the references or the modification of the '891 Patent. Further, modifying the press mold of the '891 Patent so that the cam ring is in direct engagement with both the upper and lower tread mold members to simultaneously displace the segments radially inwardly would require significant and nonobvious redesign and restructuring of the press mold. For example, as shown in Fig. 4 of the '891 Patent, the pressure ring 43 is not large enough to move in direct engagement with the upper and lower tread mold members while simultaneously displacing all of the upper and lower segments radially inwards, and thus the pressure ring 43 of the '891 Patent would need to be replaced by a larger pressure ring. Such a modification of the '891 Patent would be nonobvious in view of the disclosure of both the '891 Patent and Miyata.

For at least these reasons, it is respectfully submitted that claims 1, 2 and 4-6 are patentable over the applied references. Applicants respectfully request that the rejection under 35 U.S.C. §103 be withdrawn.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants undersigned representative at the telephone number listed below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Benjamin M. Halpern  
Registration No. 46,494

JAO:BMH/vgp

Date: December 19, 2002

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--